



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,755	03/22/2004	Shinji Kuno	6639P011	1246

7590 09/20/2006

Blakely, Sokoloff, Taylor & Zafman LLP
7th Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025

EXAMINER

UNELUS, ERNEST

ART UNIT PAPER NUMBER

2181

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/805,755	Applicant(s) KUNO, SHINJI	
	Examiner Ernest Unelus	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 5-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/26/04 and 08/13/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 1-4 in the reply filed on August 26, 2006 is acknowledged.

1. The instant application having Application No. 10/805,755 has a total of 17 claims. Claims 5-17 have been withdrawn from consideration and claims 1-4 are now pending in the application; within claims 1-4, there is 1 independent claim and 3 dependent claims, all of which are ready for examination by the examiner.

I. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

II. STATUS OF CLAIM FOR PRIORITY IN THE APPLICATION

As required by M.P.E.P. 201.14(c), acknowledgement is made of applicant's claim for priority based on applications filed on August 29, 2003 (Japan 2003-307643).

III. INFORMATION CONCERNING DRAWINGS

Drawings

3. The applicant's drawings submitted are acceptable for examination purposes.

IV. ACKNOWLEDGEMENT OF REFERENCES CITED BY APPLICANT

4. As required by **M.P.E.P. 609(C)**, the applicant's submissions of the Information Disclosure Statements dated July 26, 2004 and August 13, 2004 are acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending. As required by **M.P.E.P 609 C(2)**, a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

V. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-4** are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi (US pub. 2002/0141739).

7. As per **claim 1**, Takahashi discloses "An information processing apparatus comprising (the image recording apparatus of fig. 1): a first processor (CPU 24, 124); a second processor (FPGA 25, 125); an application program, under control of the first processor, issuing a processing execution request to the second processor (paragraph 0081 discloses "The timer

Art Unit: 2181

may be provided in a program which the CPU 124 performs. When the determination result on the step S45 is YES, the CPU 124 writes a code corresponding to coding stop in a predetermined area of the register 125j (in a step S46). The encoder 114 receives a corresponding control code from the controller 125". See also fig. 5 and paragraph 0037, which discloses that "the CPU 24 controls the entire image recording apparatus"); an actual processing section (MPEG 2 encoder 14 and decoder 18), under control of the second processor, executing an application interface processing code defined by the second processor (see paragraph 0035, which discloses the controller (the second processor) controlling the encoder and decoder to transfer data through the interface part 27); and an interface that (the CPU bus interface 125i in fig. 1), when an execution request (the user selecting the recording mode) of the application interface processing is issued by the application program (the program that periodically check the register), sends the processing execution request to the actual processing section (the encoder 114) through a communication bus (through the communication bus 137, "the CPU 124 writes a code corresponding to coding start at a predetermined area of the register 125j"; in other word, the CPU starts the recording process).

8. As per claim 2, Takahashi discloses "The information processing apparatus according to claim 1," [See rejection to claim 1 above] "wherein the second processor is a stream processor (see paragraph 0069, which discloses the FPGA 25 transfer stream signal).

Art Unit: 2181

9. As per **claim 3**, Takahashi discloses “wherein the first processor is a central processing unit (CPU) (see CPU 24 in fig.1).

10. As per **claim 4**, Takahashi further discloses a driver (the driver of the HDD 28), under control by the second processor (see fig. 5, which discloses disk DMAC 125d being a part of the FPGA 125 to control the HDD 128. see also paragraph 0035), executing a device driver interface processing code defined by the second processor (paragraph 0069 discloses “Starting up and ending of the DMA transfer are performed by setting a predetermined code in a corresponding area of the register 125j”); and an interface that (the CPU bus interface 125i in fig. 1), when an execution request (the user selecting the recording mode) of the device driver interface processing code (see fig. 2, which discloses multiple driving mode for the HDD 24) is issued by the application program, sends the execution request to the driver through the communication bus (through the communication bus 137, “the CPU 124 writes a code corresponding to coding start at a predetermined area of the register 125j”; in other word, the CPU starts the recording process. See paragraph 0077).

VI. RELEVANT ART CITED BY THE EXAMINER

11. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant’s art and those arts considered reasonably pertinent to applicant’s disclosure. See MPEP 707.05(c).

12. The following reference teaches of an information processing apparatus.

U.S. PATENT NUMBER

Art Unit: 2181

US 6,609,977

US 6,862,401

VII. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

13. The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

a(1) CLAIMS REJECTED IN THE APPLICATION

14. Per the instant office action, claims 1-4 have received a first action on the merits and are subject of a first action non-final.

b. DIRECTION OF FUTURE CORRESPONDENCES

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

IMPORTANT NOTE

16. If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Fritz M. Fleming, can be reached at the following telephone number: Area Code (571) 272-4145.

Art Unit: 2181

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 13, 2006

Ernest Unelus
Examiner
Art Unit 2181


FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

9/15/2006